

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
Courtroom 301 Calendar**

**Tuesday, November 9, 2021**

**Hearing Room 301**

9:30 AM

**1: -**

**Chapter**

**#0.00 You will not be permitted to be physically present in the courtroom. All appearances for this calendar will be via Zoom and not via Court Call. All parties participating in these hearings may connect from the zoom link listed below. This service is free of charge. You may participate using a computer or telephone.**

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Docket 0

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
Judge Victoria Kaufman, Presiding  
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**CONT...**

**Chapter**

**Tentative Ruling:**

- NONE LISTED -

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Central District of California  
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**1:00-00000**

**Chapter**

**#0.00** PLEASE BE ADVISED THAT THE CHAPTER 13 CONFIRMATION CALENDAR  
CAN BE VIEWED ON THE COURT'S WEBSITE UNDER:  
**JUDGES >KAUFMAN,V. >CHAPTER 13 > CHAPTER 13 CALENDAR**  
(WWW.CACB.USCOURTS.GOV)

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
San Fernando Valley  
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**Tuesday, November 9, 2021**

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10:30 AM

**1:16-13545 Luwana Ramos Alvarado**

**Chapter 13**

**#13.00** Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21; 9/14/21

Docket 37

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Luwana Ramos Alvarado

Represented By  
R Grace Rodriguez

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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**1:17-12875 Mady Lysse and Robert Lysse**

**Chapter 13**

**#14.00** Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21; 9/14/21

Docket 53

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Mady Lysse

Represented By  
Jeffrey J Hagen

**Joint Debtor(s):**

Robert Lysse

Represented By  
Jeffrey J Hagen

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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**1:18-10831 Jose Reynaldo Juarez**

**Chapter 13**

**#15.00** Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21; 8/10/21; 9/14/21; 10/12/21

Docket 97

**\*\*\* VACATED \*\*\* REASON: Motion withdrawn 10/15/21 - jc**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jose Reynaldo Juarez

Represented By  
Richard Mark Garber

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
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**1:18-11288 Neli Maria Negrea**

**Chapter 13**

**#16.00** Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21; 8/10/21; 9/14/21

Docket 132

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Neli Maria Negrea

Represented By  
Stella A Havkin

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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**1:18-11799 Farahnaz Alvand**

**Chapter 13**

**#17.00** Trustee's motion to dismiss case for failure to make plan payments

Docket 119

**\*\*\* VACATED \*\*\* REASON: Motion withdrawn 11/2/21 - jc**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Farahnaz Alvand

Represented By  
Armen Shaghzo  
Edmond Richard McGuire

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se



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**1:18-12329 Lucio R Ortiz and Modesta De Los Santos**

**Chapter 13**

**#18.00** Trustee's Motion to dismiss case due to material default of the plan pursuant to § 1307(c)(6) failure to submit all tax returns

Docket 49

**\*\*\* VACATED \*\*\* REASON: Withdrawal filed on on 10/19/21. [Doc 53]**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Lucio R Ortiz

Represented By  
Kevin T Simon

**Joint Debtor(s):**

Modesta De Los Santos

Represented By  
Kevin T Simon

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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**1:19-10345 Amir Ali Barani**

**Chapter 13**

**#19.00** Trustee's motion to dismiss case for failure to make plan payments

Docket 57

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Amir Ali Barani

Represented By  
Steven Abraham Wolvek

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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**1:19-10576 Shelly Ray Holeman**

**Chapter 13**

**#20.00** Trustee's motion to dismiss case for failure to make plan payments

Docket 47

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Shelly Ray Holeman

Represented By  
Matthew D. Resnik

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

**1:19-10806 Abrahan Moran**

**Chapter 13**

**#21.00** Trustee's motion to dismiss case for failure to make plan payments

fr. 3/9/21; 5/11/21; 7/13/21; 9/14/21

Docket 64

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Abrahan Moran

Represented By  
R Grace Rodriguez

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

**1:19-11512 Christine M. Lavoie**

**Chapter 13**

**#22.00** Trustee's motion to dismiss case for failure to make plan payments

Docket 60

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Christine M. Lavoie

Represented By  
David Samuel Shevitz

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

**1:19-12350 Gregorio Alberto Driotez and Maryella Driotez**

**Chapter 13**

**#23.00** Trustee's motion to dismiss case for failure to make plan payments

fr. 7/13/21; 9/14/21

Docket 36

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Gregorio Alberto Driotez

Represented By  
Jeffrey J Hagen

**Joint Debtor(s):**

Maryella Driotez

Represented By  
Jeffrey J Hagen

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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**Hearing Room      301**

10:30 AM

**1:19-13208    Elino Cometa Bukid**

**Chapter 13**

**#24.00    Trustee's Motion to dismiss case for failure to make plan payments**

fr. 6/8/21 8/10/21; 9/14/21

Docket      31

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Elino Cometa Bukid

Represented By  
Hasmik Jasmine Papian

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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10:30 AM

**1:21-10623 Jessie Beatrice Collin**

**Chapter 13**

**#25.00** Trustee's motion for order dismissing chapter 13 case

Docket 41

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Jessie Beatrice Collin

Represented By  
Brad Weil

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se



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10:30 AM

**1:16-12540 Francisco Perez and Gloria Yuridia Perez**

**Chapter 13**

**#26.00** Trustee's motion to dismiss case

Docket 100

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Francisco Perez

Represented By  
Steven A Alpert

**Joint Debtor(s):**

Gloria Yuridia Perez

Represented By  
Steven A Alpert

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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Central District of California  
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**Tuesday, November 9, 2021**

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11:00 AM

**1:16-13545 Luwana Ramos Alvarado**

**Chapter 13**

**#27.00** Debtor's motion under Local Bankruptcy Rule 3015-1 (n) and (w)  
to modify plan or suspend plan payments

Docket 43

**Tentative Ruling:**

Deny.

The debtor ("Debtor") filed her chapter 13 petition on December 16, 2016. The first chapter 13 plan payment was due on January 16, 2017. LBR 3015-k(1)(A). The Order confirming Debtor's chapter 13 plan was entered on March 1, 2017, i.e., prior to March 27, 2020 (the pertinent date for application of the Coronavirus Aid, Relief, and Economic Security Act, so that the term of a chapter 13 plan can be modified to extend beyond five years) [doc. 20].

In light of those dates, it appears that the proposed modified plan would exceed the period of time during which Debtor can make chapter 13 plan payments. Here, with Debtor's first payment under the original confirmed plan having come due by January 16, 2017, Debtor's modified plan cannot provide for payments to be made after January 16, 2024. However, the motion provides for a modified chapter 13 plan under which Debtor will make payments until **May 16, 2024**.

11 U.S.C. § 1329 states —

- (a) At any time after confirmation of the plan but before the completion of payments under such plan, the plan may be modified, upon request of the debtor, the trustee, or the holder of an allowed unsecured claim, to—
  - ...
  - (3) alter the amount of the distribution to a creditor whose claim is provided for by the plan to the extent necessary to take account of any payment of such claim other than under the plan;
  - ...
- (d) (1) Subject to paragraph (3), *for a plan confirmed prior to the date of enactment of the COVID-19 Bankruptcy Relief Extension Act of 2021*, the plan

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**CONT...**

**Luwana Ramos Alvarado**

**Chapter 13**

may be modified upon the request of the debtor if—

(A) the debtor is experiencing or has experienced a material financial hardship due, directly or indirectly, to the coronavirus disease 2019 (COVID-19) pandemic; and

(B) the modification is approved after notice and a hearing.

(2) A plan modified under paragraph (1) may not provide for payments over a period that expires more than 7 years after the time that the first payment under the original confirmed plan was due."

11 U.S.C. § 1329 (emphasis added). *See also In re Harbin*, 626 B.R. 888, 890 (Bankr. E.D. Mich. 2021); *In re Bridges*, No. BR 19-31012, 2020 WL 6927557, at \*3 (Bankr. S.D. Ill. July 30, 2020).

The Court will prepare the order.

<b>Party Information</b>
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**Debtor(s):**

Luwana Ramos Alvarado

Represented By  
R Grace Rodriguez

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se

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11:00 AM

**1:20-10269 John Goulter**

**Chapter 13**

**#28.00** Debtor's motion to set aside the order dismissing the chapter 13 case

Docket 63

**Tentative Ruling:**

Grant.

Movant must submit the order within seven (7) days.

Note: No response has been filed. Accordingly, no court appearance by movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and movant will be so notified.

<b>Party Information</b>
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**Debtor(s):**

John Goulter

Represented By  
Stella A Havkin

**Trustee(s):**

Elizabeth (SV) F Rojas (TR)

Pro Se